

REMARKS

This is a full and timely response to the Office Action of November 22, 2006.

Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this Response, claims 1, 4-15, and 18-35 are pending in this application. Claims 1, 4-7, 10, 15, and 18 have been amended. Claims 2, 3, 16, and 17 are canceled. Claims 22-35 are newly added. The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims. Applicants believe that no new matter has been added by the amendments and that a new search is not necessary.

Claim Objections

Claim 18 has been amended to overcome the objection. Applicant respectfully requests that the objections be withdrawn.

Claim Rejections under 35 U.S.C. §101

Claims 15-21 have been rejected under 35 USC 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses. Nevertheless to facilitate early allowance of the claims, independent claim 15 have been amended to recite further useful, concrete, and tangible results. For at least this reason, Applicant respectfully requests that the rejection of the claims be withdrawn.

Claim Rejections under 35 USC §112, Second Paragraph

Claims 1-21 have been rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicant has amended independent claims 1 and 15. Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 112, second paragraph, be withdrawn.

Applicant wishes to clarify that the foregoing amendments have been made for purposes of better defining the invention in response to the rejections made under 35 U.S.C. § 112, and not in response to the rejections made based on prior art. Indeed, Applicant submits that no substantive limitations have been added to the claims. Therefore, no prosecution history estoppel arises from these amendments. *Black & Decker, Inc. v. Hoover Svc. Ctr.*, 886 F.2d 1285, 1294 n. 13 (Fed. Cir. 1989); *Andrew Corp. v. Gabriel Elecs., Inc.*, 847 F.2d 819 (Fed. Cir. 1988); *Hi-Life Prods. Inc. v. Am. Nat'l Water-Mattress Corp.*, 842 F.2d 323, 325 (Fed. Cir. 1988); *Mannesmann Demag Corp. v. Eng'd Metal Prods. Co., Inc.*, 793 F.2d 1279, 1284-1285 (Fed. Cir. 1986); *Moeller v. Ionetics, Inc.*, 794 F.2d 653 (Fed. Cir. 1986).

Claim Rejections under 35 USC §102

Applicant respectfully traverses the rejection of claim 1. Claim 1 has been amended to include the features of claims 2 and 3. Since claim 3 was not rejected using the prior art cited in the Office Action and since other objections and/or rejections have been overcome, amended claim 1 is in condition for allowance. In addition, dependent claims 4-14 are also in condition for allowance for at least the reasons that claim 1 is in condition for allowance.

Applicant respectfully traverses the rejection of claim 15. Claim 15 has been amended to include the features of claims 15 and 16. Since claim 16 was not rejected using the prior art cited in the Office Action and since other objections and/or rejections have been overcome,

amended claim 15 is in condition for allowance. In addition, dependent claims 18-21 are also in condition for allowance for at least the reasons that claim 15 is in condition for allowance.

New Claims

New claim 22 includes the features of claim 1 and 14. Since claim 14 was not rejected using the prior art cited in the Office Action and since other objections and/or rejections have been overcome, claim 22 is in condition for allowance. In addition, dependent claims 23-33 are also in condition for allowance for at least the reasons that claim 22 is in condition for

• allowance.

- New claim 34 includes the features of claim 15 and 18. Since claim 18 was not rejected using the prior art cited in the Office Action and since other objections and/or rejections have been overcome, claim 34 is in condition for allowance.

- New claim 35 includes the features of claim 15 and 19. Since claim 19 was not rejected using the prior art cited in the Office Action and since other objections and/or rejections have been overcome, claim 35 is in condition for allowance.

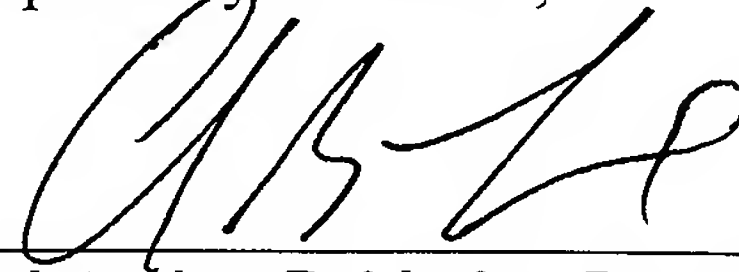
CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

In addition, any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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